REMARKS

Claims 1, 10, 14 and 15 have been amended. Claim 1 has been amended to recite that the granulation composition is a "non-compacted granular composition". This amendment is supported by the entire specification, including at page 10, lines 15-28.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

I. The Rejection of Claim 15 under 35 U.S.C. 112

Claim 15 is rejected under 35 U.S.C. 112, indefinite, as containing a narrow limitation falling within a broader limitation in the same claim, i.e., based on the phrase "preferably."

Applicants have deleted the recitation beginning with the term preferably.

Although not raised by the Examiner, claims 10 and 14 also employ the term "preferably" and have been addressed in the same manner as claim 15.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 112. Applicants respectfully request reconsideration and withdrawal of the rejection.

II. The Rejection of Claims 1-3, 6, 11-13, 18 and 19 under 35 U.S.C. 102

Claims 1-3, 6, 11-13, 18 and 19 are rejected under 35 U.S.C. 102 as allegedly anticipated by Laine et al. This rejection is respectfully traversed.

Laine et al. is directed to a process for analyzing a compaction process and compacted compositions by measuring sound emissions during a compaction process. Laine et al. do not teach the analysis of a non-compacted composition, more specifically of a granulation process. See Laine et al., the entire document, including, for example, at col. 2, line 65 to col. 3, line 18, col. 4, lines 11-13, and col. 4, lines 17-21.

The present invention, by contrast to Laine et al., is directed acoustic emission analysis of a granular composition. Although compaction may subsequently be performed on the granulation composition recited in the present claims, "compaction" is clearly separate from and excluded from the definition of "granulation" or "a granular composition." This point is clearly shown in the following excerpt from the specification at page 10, lines 15-28 (emphasis added):

> The term "granulation" is to be understood as building up larger solid granules from smaller particles and/or solids and/or dry matter contained in liquids. Hence, granulation requires binding together a number of small volume particles together to form particles having a greater volume and weight. As opposed hereto_

> the process of compaction involves compressing particles of a starting volume and weight into particles of less volume, but the same weight. Compaction of granules may, if desired, be carried out after granulation if a smaller volume of granules is desired. In a particular embodiment the process of the invention is not a compaction process, but is selected from the group of spray drying or spray cooling processes, mixer processes, layering processes, absorption processes and extrusion or pelletizing processes (*vide infra*).

In this regard, the claims have further been amended to clearly distinguish over Laine et al. by reciting that the granular composition is "non-compacted." Support for this amendment is found, e.g. in the above quoted passage.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 102 as Laine et al. do not teach the acoustic emission analysis of a non-compacted granular composition. Applicants respectfully request reconsideration and withdrawal of the rejection.

III. The Rejection of Claims 4, 5, 7-10, 14-16 and 22 under 35 U.S.C. 103

Claims 4, 5, 7-10, 14-16 and 22 are rejected under 35 U.S.C. 103 as obvious over Laine et al. This rejection is respectfully traversed.

As previously discussed, Laine et al. do not teach acoustic emission analysis of a non-compacted granular composition to improve a granulation process. There is also no suggestion in Laine et al. to analyze a non-compacted granular composition. Indeed, Laine et al. has no appreciation whatsoever that acoustic emission analysis would be applicable or relevant to a granulation process, rather Laine et al. is focused only on the analysis of a compaction process and compacted compositions.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 103. Applicants respectfully request reconsideration and withdrawal of the rejection.